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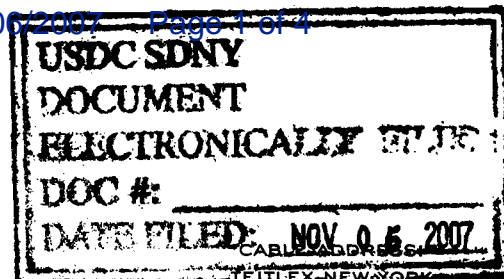
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November 5, 2007



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**MEMO ENDORSED**

IT IS ORDERED that counsel to whom this Memo Endorsement is sent is responsible for faxing or otherwise delivering promptly a copy to all counsel and unrepresented parties and filing a certificate of such service within 5 days from the date hereof. Do not file such certification to Chambers.

**BY HAND**

The Honorable Laura T. Swain  
United States District Judge  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street, Room 755  
New York, NY 10007

Re: *One Communications Corp. v. J.P. Morgan SBIC LLC, et al.*, 07 Civ 3905 (LTS); *Stockholder Representative Committee v. One Communications Corp.*, 07 Civ. 5440

Your Honor:

We represent One Communications Corp. in the above referenced actions. We are writing to request permission in 07 Civ 3905 to file a single consolidated 100 page brief in opposition to the three pending motions to dismiss and to present the parties' proposed briefing schedule as set forth in the attached proposed Stipulation and Order. All defendants have consented to these requests and respectfully request the Court to So Order this Stipulation and Proposed Order.

The reason for the requested increase in the page limit is as follows: On September 17, 2007, One Communications Corp. was served with three motions to dismiss from three groups of defendants: the two Megunticook Defendants, the two J.P. Morgan Defendants and the two Individual Defendants. Each of the three groups of defendants requested and received permission for an enlargement of their page limits. Defendants' briefs presented a combined 138 pages of argument. While we believe that defendants' arguments are meritless, we respectfully request that

*faxed*  
Copies ~~mailed~~ to PIA Counsel  
Chambers of Judge Swain  
11-6-07

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the Court allow us sufficient length to set forth why the Complaint meets the pleading requirements to establish the causes of action and why this Court presents the only forum in which this matter can be resolved.

Rather than file three separate opposition briefs, we believe that the most efficient way to respond to these three coordinated briefs is for One Communications to submit one opposition brief of no more than 100 pages. We respectfully submit that a 100 page limit is appropriate given the combined length of defendants' briefs.

In addition, the parties have entered into a separate stipulation in 07 Civ. 5440, which acknowledges service and schedules certain responsive pleadings, and respectfully request the Court to So Order this enclosed Stipulation and Proposed Order as well.

Respectfully,



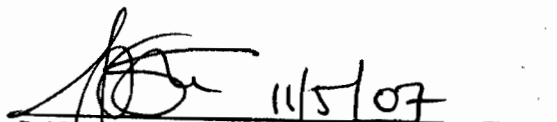
Nicholas W. Lobenthal

Enclosures

cc: Mark S. Resnick, Esq.  
(By E-Mail)  
Attached Distribution  
(By E-Mail)

The Court has endorsed the referenced stipulations. The initial pretrial conference currently scheduled for December 14, 2007, is adjourned to a holding date of March 18, 2008 at 4:30pm.

SO ORDERED.



11/5/07  
LAURA TAYLOR SWAIN  
UNITED STATES DISTRICT JUDGE

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